

C O U N C I L C O M M U N I C A T - O N

TO : THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:
APRIL 19, 1989

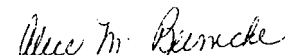
SUBJECT: PUBLIC HEARING REGARDING WEED ABATEMENT PROCEEDINGS INVOLVING VARIOUS PARCELS
 WITHIN THE CITY OF LODI TO ALLOW PROPERTY OWNERS HAVING OBJECTIONS TO THE
 PROPOSED REMOVAL OF WEEDS TO BE HEARD AND GIVEN DUE CONSIDERATION

RECOMMENDED ACTION: That following the Public Hearing, and receipt of public testimony,
 the Council adopt Resolution No. 89-43 - Resolution Overruling
 Objections and Proceeding with Abatement (See Exhibit A attached)

At the City Council meeting of March 22, 1989 the Lodi City Council adopted Resolution No. 89-28 - Resolution Declaring Weeds A Public Nuisance and Initiating Abatement Proceedings - Various Parcels, Lodi, California. Pursuant to State of California Government Code Section 39500 et seq., a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt, was published, mailed under Declaration of Mailing to each of the involved property owners, and posted on the subject properties as determined by the City Attorney and the Fire Inspector. The purpose of this public hearing is for all property owners having any objections to the proposed abatement to be heard and given due consideration.

We have been advised by the Fire Department that since the adoption of Resolution No. 89-28 numerous property owners have abated the weeds on their property. We will provide Council with a list of the parcels that are not in compliance following a final inspection by the Fire Inspector prior to the City Council meeting. This document will then serve as the exhibit referred to in the body of Resolution No. 89-43.

Following the Public Hearing and receipt of public testimony regarding the matter, it would be in order for the Council to adopt Resolution No. 89-43 Resolution Overruling Objections and Proceeding with Abatement (See Exhibit A attached).


Alice M. Reimche
City Clerk

WEEDS/02
TXTA.02D

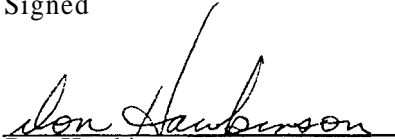
IN THE MATTER OF DESTRUCTION OF WEEDS
AND REMOVAL OF RUBBISH, REFUSE AND DIRT

AFFIDAVIT OF POSTING NOTICE

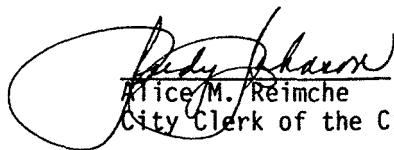
Don Hawkinson says in accordance with the instructions contained in Resolution No. 8572 by the City Council of the City of Lodi and in accordance with the provision of Section 39501-39588 to declare as a public nuisance and abate all weeds growing upon streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City, he caused notice to be posted on parcels shown on Exhibit. "A" attached hereto and thereby made a part hereof.

That said posting was completed on the 13th day of April, 1989, at least five (5) days prior to the date of hearing as set in said Resolution and as contained in said notices whereupon he made and filed this affidavit.

Signed


Don Hawkinson
Fire Inspector

Subscribed and sworn to be before
on the 19th day of April, 1989

 Deputy for
Alice M. Reimche
City Clerk of the City of Lodi, CA

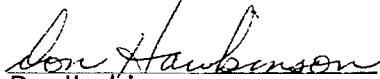
DECLARATION OF MAILING

On 3/28/89 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/19/89, at Lodi, California.


Don Hawkinson
Fire Inspector

DEC/01
TXTA. 02D

04/19/89

THE FOLLOWING IS A LIST OF WEEDLOTS LOCATED IN THE CITY OF LODI AND THE INDIVIDUALS NOTIFIED FOR ABATEMENT

11:27:17

THIS DATA WAS COLLECTED AND PROCESSED BY MEMBERS OF THE FIRE PREVENTION BUREAU

(If you have any questions concerning the contents of this report, please contact Inspector Don Hawkinson)

AREA	A.P.N.	RESPONSIBLE PERSON	DESCRIPTION OF PROPERTY LOCATION	
13	A1-012	041-274-56	Carl Yearing	521 N. CHEROKEE LN. - VACANT AREA TO THE WEST
14	A1-014	041-300-03	D. D. & Carole Ford	649 E. LOCKEFORD ST.-ALL AFFECTED AREAS EAST OF 639 E. LOCKEFORD
18	A1-018	049-180-15	E. A. & Connie Gooden	425 N. CLUFF AV. - VACANT LOT
26	A1-026	049-170-06	Homer Beldt, trs.	827 BLACK DIAMOND WY. & 637 N. CLUFF (049-040-36) E. OF CASA DE LODI-VACANT AREA
31	A1-031	049-180-03	Anton Maerzluft, Jr.	1015 E. BLACK DIAMOND WY.-VACANT LOT
38	A1-036	043-220-03	Paul Learner	202 N. HOUSTON LN.-VACANT LOT S. OF U.J.'S RESTAURANT AND PARKING LOT
39	A1-037	043-210-19	Stockton Armature	127 N. HOUSTON LN.-SO. OF 203 N. HOUSTON LN.-VACANT AREA
39	A1-039	043-210-46	Stockton Mortgage	653 E. PINE ST. - VACANT AREA (FORMER SITE GOLDEN WOK RESTAURNT)
39			Thien Mai	653 E. PINE ST. - VACANT AREA (FORMER SITE GOLDEN WOK RESTAURNT)
40	A1-040	049-090-27	Griffin Industrial Park	1350 E. PINE ST.-ALSO P.N. 049-090-28, 1370 E. PINE ST. AND 049-090-36, FROM PINE ST. SO. TO LODI AV. JUNK YD.-VACANT AREA
43	A1-043	049-090-33	Robert L. & G. Griffin	100 N. CLUFF AV. - VACANT AREA NORTH OF 214 N. CLUFF AV.
57	A2-002	047-342-03	James H. Bowles	508 S. CENTRAL AV. - LOT
72	A2-015	049-150-02	F. Dean Fritz	921 E. VINE ST.-VACANT AREA WEST OF 1003 E. VINE ST.
73	A2-016	049-150-01	Robert Woods, tr., et al	901 E. VINE ST.-VACANT AREA EAST OF 880 S. BECKMAN RD.
83	A2-026	047-270-04	Helen Anest, et al	1318 S. WASHINGTON ST.-VACANT AREA NORTH OF 1320 S. WASHINGTON ST.
91	A2-034	062-280-01	Daryl Geweke	1935 S. STOCKTON ST.-VACANT AREA WEST TO RAILROAD TRACKS
112	A2-060	062-360-11	Frank & Jeanne Paoletti	344 SPARROW LN. - LOT 57 TANDY RANCH
115	A2-062	062-360-48	Craig Younnel	417 SPARROW LN. - LOT 94 TANDY RANCH
129	A2-072	062-060-47	H & M Builders, Inc.	511 ALMOND DR. - VACANT AREA (PARCEL A)
140	A3-009	060-100-02	Century Assembly, Inc.	2220 S. SCARBOROUGH DR.-CENTURY ASSEM. SCHOOL ATHLETIC FIELD
141	A3-010	060-100-05	Lodi Unified School Dist.	2201 SCARBOROUGH DR.-SCHOOL SITE-VACANT AREAS NOT UNDER CONSTRUCTION
157	A4-002	037-300-21	A. F. & G. C. Baker, etal	315 W. LODI AV.-VACANT LOT
203	A4-008	045-240-07	Angelantonio DeRubis	713 S. SACRAMENTO ST.-VACANT BLDGS. AND LOT SOUTH OF 711 S. SACRAMENTO ST.
207	A4-010	031-070-36	Lodi Memorial Hospital	975 S. FAIRMONT AV.-ALL VACANT, NON-CULTIVATED AREAS TO THE SOUTH-LODI MEMORIAL HOSPITAL



THE FOLLOWING IS A LIST OF PLOTS LOCATED IN THE CITY OF LODI AND THE INDIVIDUALS NOTIFIED FOR GRADUATION
11/27/12

THIS DATA WAS COLLECTED AND PROCESSED BY MEMBERS OF THE FIRE PREVENTION BUREAU

(If you have any questions concerning the contents of this report, please contact Inspector Don Hawkinson)

206	A4-032	027-260-11	Chris & LaVeta Keszler	2231 GRENABLE DR.-VACANT LOT 36
207	A4-033	027-270-08	Chris & LaVeta Keszler	2303 GRENABLE DR.-VACANT LOT 76
208	A4-034	027-270-09	Chris & LaVeta Keszler	2315 GRENABLE DR.-VACANT LOT 77
210	A4-035	027-270-10	Chris & LaVeta Keszler	2323 GRENABLE DR.-VACANT LOT 78
211	A4-041	027-270-13	Chris & LaVeta Keszler	2347 GRENABLE DR./940 INTERLAKEN DR.-VACANT CORNER LOT 81
211	A4-047	027-250-32	Chris & LaVeta Keszler	2374 ST. ANTON DR. - VACANT LOT 20
211	A4-048	027-260-40	L. Michael Morrill, et al	1125 CHATEAU CT.-VACANT LOT 65
211	A4-049	027-260-38	John M. Giannoni, Jr.	1142 CHATEAU CT.-VACANT LOT 63
211	A4-050	027-260-36	L. Michael Morrill, et al	1126 CHATEAU CT.-VACANT LOT 61
217	A4-053	027-260-28	Chris & LaVeta Keszler	2127 ST. ANTON DR.-VACANT LOT 53
218	A4-054	027-260-26	C. B. Kramer Development	2209 ST. ANTON DR.-VACANT LOT 51
219	A4-055	027-250-01	Chris & LaVeta Keszler	1132 INTERLAKEN DR.-VACANT CORNER LOT 1
253	A4-064	027-080-29	Anthony Ahn, et al	2040 W. COCHRAN RD.-SUMP AREA RETENTION BASIN, WEST SIDE, TWIN ARBORS ATHLETIC CLUB
254	A4-067	035-170-11	Zion Reformed Church	101 S. HAM LN.-ALL VACANT AREAS AROUND ZION REFORMED CHURCH
287	A5-013	041-290-05	Weldon & P. E. Moss	257 W. ROYAL OAKS CT.-VACANT LOT WEST END OF CUL-DE-SAC
288	A5-014	041-290-04	Rivergate Development Co.	258 W. ROYAL OAKS CT.-VACANT LOT WEST END OF CUL-DE-SAC
289	A5-015	041-290-03	Roy C. & E. M. Irick	250 W. ROYAL OAKS CT.-VACANT LOT WEST END OF CUL-DE-SAC
295	A5-025	035-172-21	Frank C. Hall	554 N. LOMA DR.-ALL VACANT AREAS AROUND BUILDINGS
296	A5-026	035-175-13	Walter E. & G. M. Howen	1406 W. GRAFFIGNA AV.-VACANT AREA NORTH AND EAST OF HOUSE AT 1408 W. GRAFFIGNA

RESOLUTION NO. 89-43

RESOLUTION OVERRULING OBJECTIONS AND PROCEEDING WITH ABATEMENT

BEFORE THE CITY COUNCIL OF THE CITY **OF** LODI IN **THE** MATTER **OF**

Overruling Objections and
Determining to Proceed with
Abatement } RESOLUTION NO. 89-43

The City Council adopted Resolution No. 89-28 on March 22, 1989, under which terms, the City Council elected to proceed under Government Code sections 39501-39588 and did declare as a public nuisance all weeds growing upon streets, sidewalks and private property in the City, and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City; and

A public hearing was held on April 19, 1989 and no objections to the proposed removal of weeds, rubbish, refuse and dirt were made or presented either in writing or orally;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) On March 22, 1989, the City Council elected to proceed under Government Code sections 59501-39588 and did declare as a public nuisance, all weeds growing upon the streets, sidewalks and private property in the City, and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city, all as more particularly described in Resolution No. 83-28 adopted March 22, 1989.

(2) The City Council fixed April 19, 1989 at the hour of 7:30 o'clock p.m., in the City Hall Council Chambers, 221 West Pine Street, Lodi, California as the time and place for hearing all objections to the proposal of removal of weeds, rubbish, refuse and dirt; and the Public Works Director was designated as the person to perform the duties imposed by Government Code sections 39560-39588 upon the superintendent, and he did prepare notices to destroy weeds and remove rubbish, refuse and dirt, and did in the time and manner prescribed by law, cause copies of the notice to be conspicuously posted on or in front of the property where the nuisance exists; and the City did mail written notice of the proposed abatement to all persons owning property described in Resolution No. 89-28, in the time, form and manner prescribed by law.

(3) The City Council did hold a public hearing on April 19, 1989 and no objections either written or oral to the proposed removal of weeds, rubbish, refuse and dirt were presented, and the hearing was closed on April 19, 1989.

(4) The superintendent is ordered to abate the nuisance declared by Resolution No. 89-43 by having the weeds, rubbish, refuse and dirt removed and for this purpose, on those parcels shown on the attached exhibit (Exhibit A), the superintendent may enter upon private property to abate the nuisance. Before the superintendent arrives, any property owner may remove the weeds, rubbish, refuse and dirt at his own expense.

(5) The superintendent or the contractor awarded the work, as the case may be, shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the City Council for consideration, hearing of objections, modification and confirmation, an itemized written report showing this cost, all as more particularly prescribed by Government Code section 39574.

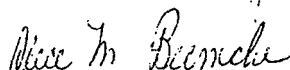
Adopted by the City Council of the City of Lodi April 19, 1989 by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid, Pinkerton and Snider (Mayor)


Noes: Council Members - None

Absent: Council Members - None

Attest:


ALICE M. REIMCHE
City Clerk

Approved as to form


SOB McNATT
City Attorney

The Foregoing Document Is Certified
To Be A Correct Copy Of The Original
On File In This Office.

Judy Johnson
Deputy City Clerk, City Of Lodi

89-43

By 

Dated: 5-3-89